IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Daniel W. WONG, et al.		
Title:	SYSTEM FOR PREVENTING UNAUTHORIZED ACCESS TO SENSITIVE DATA AND A METHOD THEREOF		
App. No.:	09/992,823	Filed:	November 14, 2001
Examiner:	Longbit CHAI	Group Art Unit:	2131
Customer No.:	34456	Confirmation No.:	5879
Atty. Dkt. No.:	ATI.0100520 (1376-0100520)		

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REMARKS IN SUPPORT OF THE PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

In response to the Final Office Action mailed January 30, 2007 (hereinafter, "the Final Action"), and pursuant to the Notice of Appeal and Pre-Appeal Brief Request for Review submitted herewith, the Applicants request review of the following issues on appeal.

Request for at least three examiners on the panel

In order to facilitate full consideration of the remarks filed herewith, the Applicant respectfully requests that the Art Unit Supervisor designate a panel composed of at least three examiners.

Ciacelli does not disclose sending a first encrypted routine of a software driver to a peripheral device

Independent claim 1 recites the features of sending a first encrypted routine of a software driver to a peripheral device. As described at pages 2-3 of the Response, Ciacelli fails to disclose at least these features. Ciacelli discloses a system for providing copyright data encrypted at a central processing unit to another software module executing at the central

processing unit or to a peripheral device of a central processing unit, such as a decoder, for decryption. *Ciacelli*, col. 2, lines 55-63. An encrypted decryption algorithm can be sent with the copyright data. *Id.*, col. 5, lines 40-45. There is no disclosure in Ciacelli that the encrypted decryption algorithm is "of a software driver."

As explained in Applicants' Response to Office Action dated November 30, those skilled in the art would understand a software driver to be software that controls a peripheral device. According to Ciacelli,

> Module 22 would use the resident encryption algorithm to encrypt the actual decryption routine of the selected algorithm pair to be used by the decryption module 23 and/or decryption device 27. The encryption module then transmits the encrypted version of the actual decryption algorithm to module 23 and/or device 27.

Id. Thus, Ciacelli discloses sending a decryption algorithm to a decryption device. Ciacelli does not disclose that the decryption algorithm is software that controls a peripheral device or is in any way a part of a software driver. Accordingly, Ciacelli does not disclose, or even suggest, sending a first encrypted routine ***of a software driver*** to a peripheral device. Instead, Ciacelli discloses sending an encrypted decryption algorithm, which is not disclosed to be part of a software driver, to a decoder.

In the Advisory Action dated March 12, 2007, the Office indicates that Ciacelli discloses that the encrypted decryption algorithm disclosed by Ciacelli is used by "a software module" of a peripheral device to decrypt the data. However, there is no disclosure that the software module referred to in Ciacelli is a software driver that controls the peripheral device. Thus, Ciacelli fails to disclose or suggest sending a first encrypted routine that is part of a software driver to a peripheral device. Accordingly, Ciacelli fails to disclose each and every element of claim 1.

The cited references do not disclose or suggest decrypting by an IDCT component of a graphics chip

Claim 6 recites "wherein decrypting is performed by a IDCT component of the graphics chip." According to the Final Action at page 19, these elements are not disclosed or suggested by the cited references, Freeman and Ciacelli. The Final Action simply asserts that it would have been obvious to "modify" Ciacelli to allow decrypting to be performed by an IDCT component because an "IDCT component is merely one part of a series of video graphic chips in this

claimed subject matter." *Final Action*, p. 19. Applicants respectfully submit that the Office provides no support for its assertion that decryption by an IDCT component is well known, nor does the Office explain how Ciacelli could be modified to allow decrypting by an IDCT component. Should the Office continue to assert this rationale, Applicants respectfully request the Office to provide a prior art reference disclosing or suggesting the elements that the Office admits are lacking in Freeman and Ciacelli.

Conclusion

As discussed above, the Office fails to establish that the cited references disclose or suggest each and every element recited by any of the pending claims. Accordingly, reconsideration and withdrawal of these rejections is respectfully requested.

Respectfully submitted,

April 25, 2007
Date

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